

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

MILLIPORE CORPORATION,
MILLIPORE AB, and
MILLIPORE SAS,

Plaintiffs,

v.

ALLPURE TECHNOLOGIES, INC.,

Defendant.

Civil Action No.: 11-cv-10221-DPW

**ALLPURE TECHNOLOGIES, INC.'S MOTION FOR SUMMARY
JUDGMENT OF NONINFRINGEMENT**

This case should be resolved on summary judgment because the accused product does not infringe the Millipore patent as a matter of law and fact. AllPure Technologies, Inc. ("AllPure") is filing this motion now because the case should not move forward, consuming the time and resources of the parties, when there is clear evidence of non-infringement. Unlike some cases that require extensive discovery to get to this juncture, this case is simple. Inspection of the accused AllPure device leads to only one conclusion – it does not infringe any claim of the asserted patent.

For the reasons set forth in the accompanying memorandum and supporting declarations, Allpure moves this Court for summary judgment of noninfringment of U.S. Patent No. 6,032,543.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), AllPure Technologies, Inc. requests oral argument in the belief that it would assist the Court.

Respectfully submitted,

ALLPURE TECHNOLOGIES, INC.

By its attorneys,

Dated: January 24, 2012

/s/ Craig R. Smith

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CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that I conferred with counsel for Millipore Corporation on January 23, 2012, regarding this motion but the parties did not reach an agreement.

/s/ Craig R. Smith

Craig R. Smith

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which automatically sends email notification of such filing to registered participants.

/s/ Craig R. Smith

Craig R. Smith